

PROCLAMATION

No. 17545

By The

Governor of the State of Texas

Executive Department
Austin, Texas
June 11, 1937

To All to Whom These Presents Shall Come:

I have signed and approved all of Senate Bill No. 138, general appropriation bill for the next biennium beginning September 1, 1937, with the exception of the items set out below, which are hereby vetoed and disapproved for the reasons enumerated with the listed items:

BOARD OF CONTROL

Item 14-A, page 24—" \$5,000 for each of the fiscal years ending August 31, 1938, and August 31, 1939;

Item 71-A, page 26—"Chief Purchasing Division—\$5,000" for each of said fiscal years;

For the reason that in my opinion this expenditure is not necessary, another purchasing agent and assistants being authorized.

DEPARTMENT OF EDUCATION

(Text Book Division)

I have vetoed and disapproved the following items appearing on pages 79, 80 and 81 beginning on line 19 and reading:

"It is provided that not exceeding the following amounts per year may be paid for salaries in the Text Book Administration Division: for the years ending August 31, 1938, and August 31, 1939."

All of said items appearing on pages 79, 80 and 81 total \$61,070 for each of said fiscal years.

I have vetoed these items at the request of the State Board of Education in view of the fact that it is the duty of the State Board of Education to make said appropriations and to fix said salaries and allowances. I am advised by the State Board that they have a plan in mind to cut down this expense and increase the efficiency of this particular division. I think they should be given this opportunity to do so; and it is provided in the

Constitution, in part, "It shall be the duty of the State Board of Education to set aside a sufficient amount out of said tax (school tax) to provide free text books for the use of children attending the public free schools of this State."

PROPOSED BIG BEND NATIONAL PARK APPROPRIATION AND RIDER

Item on page 126, of Senate Bill 138—"Big Bend National Park, purchase of land, \$750,000." (Total amount authorized is subject to the rider following which makes provision and gives authority for purchase thereof.) The rider is set out on pages 127, 128, 129, 130 and 131 of S. B. No. 138, and all of said appropriation and rider have been vetoed by me for the following reasons:

It is admitted that this appropriation of \$750,000 is not sufficient to acquire all of the land that may be necessary for the establishment of a national park. It is admitted that, in addition to the lands authorized to be purchased, much school land will be required and additionally privately owned lands which cannot be purchased with the amount appropriated.

If the State enters into this project and goes out and buys this land to the extent of \$750,000, then the remaining land which must be acquired will become extremely valuable. Land always becomes valuable when the State or Government is to buy it. I don't think it is good business for us to put the State "out on a limb" in this fashion. Any good business man, entering upon a tremendous undertaking involving ultimate expenditure of more than a million dollars, would not put himself into the position where he might have to buy remaining property at the seller's price later on to secure all that he would have to have. Admittedly, a minimum total of \$1,500,000 would be required at this time to acquire all the land necessary for this park. The Legislature has just appropriated half enough for the minimum if the land were bought at present prices.

Again, it is stipulated in this bill that the State retain the mineral rights to its land. We do not know whether the Federal Government would accept the grant on this condition, or not. For all the safeguards contained in the bill, the Board could go out and buy \$750,000 worth of privately owned land and tender it, together with out school land, to the Federal Government, but with reservation of the mineral rights; then, if it adhered to its usual policy, the Federal Government would refuse to accept the grant with the mineral rights reserved to the State. Of course, then the sponsors of this project would be back asking the Legislature to part with title to the minerals under our school land in the district affected. Having already embarked upon the enterprise and having already spent \$750,000, a very plausible argument would be presented to the Legislature for going ahead and relinquishing the mineral rights under our school land.

I think it is sound public policy and just good business for the Legislature to approve a program of this kind as a whole, not by piecemeal. In other words, we ought to know where we are going and just how much it is going to cost us before we start. I think if we are going to establish a Big Bend National Park we should first determine how much it is going to cost us, appropriate the entire amount of money necessary, but stipulating

that not a penny of it should be paid over until the deal is actually consummated.

I do not like the idea of tying a controversial matter of this kind on to the general appropriation bill. We have had too many instances of loose legislation by such a method. Certainly a project as big as this one should be covered by a separate bill on the subject.

LEON RIVER VALLEY AUTHORITY

I have vetoed and disapproved the item on page 132 of Senate Bill 138 for the Leon River Valley Authority as follows:

"Stationary, printing, postage, supplies, traveling expenses, contingent expenses, \$1,000 for the year ending August 31, 1938, and \$1,000 for the year ending August 31, 1939."

This item is vetoed and disapproved at the suggestion of the Authority because the appropriation was covered in a separate bill on this subject.

STATE RACING COMMISSION

Total appropriation of \$22,600 for each of the years ending August 31, 1938, and August 31, 1939, respectively.

I have vetoed and disapproved this item for the reason that the pari-mutuel law has been repealed by the Legislature and the statute will be effective about the 24th of September and there will be no occasion for the two years' appropriation being approved for 24 days.

IN GENERAL

I think in many instances the appropriations for specific items are too high but I am confronted with the proposition that I do not have the power to reduce appropriations. I have to either approve an entire item, or veto it entirely. If I did this throughout the bill I would, of necessity, have to submit the matter to the Legislature again with no prospect that a better bill would be secured. For this reason, I am approving the bill, subject only to the items specifically vetoed in this message; and a copy of this proclamation vetoing said specific items in S. B. No. 138 is ordered to be attached to the bill and filed with the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be impressed hereon at Austin, this the 11th day of June, A. D. 1937.

JAMES V. ALLRED
Governor of Texas

(Seal)

By the Governor

(Signed) Edward Clark
Secretary of State